

Monte J. White & Associates, P.C.  
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IN THE UNITED STATE BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE: § CASE NO. 09-70279-HDH-13  
Mark Dewayne Burns §  
and § CHAPTER 13  
Stacey Lynn Burns §  
Debtor(s) §

**MOTION FOR SUSPENSION OF MONTHLY PLAN PAYMENTS UNDER 11 USC §1329**

NOW COMES the Debtor(s) herein, by and through attorney of record, Monte J. White, respectfully submits this MOTION FOR SUSPENSION OF MONTHLY PLAN PAYMENTS UNDER 11 USC §1329 and states as follows:

1. That the Debtor(s) herein filed a Voluntary Petition under Chapter 13 of Title 11 of the United States Code on 6/9/2009. The Plan was confirmed on 8/20/2009.
2. Debtor, Mark DeWayne Burns, is medically unable to work. He is waiting for social security disability payments to begin. His monthly disability payments are estimated at about \$2,100.00 per month.
3. Joint Debtor, Stacey Lynn Burns, is currently seeking employment.
4. Debtor(s) have made all plan payments that have come due save for an arrears amount of \$15.40.
5. Debtor(s) requests that the Court suspend plan payments for 3 months (December 2009-February 2010) to allow time for disability payments to begin and Joint Debtor to find employment.
6. Debtors propose to repay the missed payments in the amount of \$1,908.40, over the remaining life of the plan (42 months as of March 2010) with additional payments of approximately \$45.44 per month. Debtors' plan base shall remain \$32,181.00.

7. Additionally, Debtors request that their attorney, Monte J. White, be allowed \$350.00 in attorney fees plus \$50.00 in costs to be paid by the Trustee through the Debtors' plan for the preparation and filing of this Motion.

WHEREFORE, PREMISES CONSIDERED, the Debtors pray that the payment schedule be suspended for the above specified three-month period to insure proper success of the plan and that monthly payment resume in March 2010.

Respectfully submitted,

/s/Monte J. White

**IMPORTANT NOTICE**

PURSUANT TO LOCAL BANKRUPTCY RULE 9007, YOU ARE HEREBY NOTIFIED THAT NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT ON OR BEFORE TWENTY (20) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE TO (1) THE DEBTOR AND DEBTOR'S ATTORNEY; (2) THE OFFICE OF THE U.S. TRUSTEE; (3) ANY TRUSTEE AND THE TRUSTEE'S ATTORNEY; (4) THE MEMBERS OF ANY OFFICIAL COMMITTEE, OR THE ATTORNEY FOR ANY OFFICIAL COMMITTEE IF AN ATTORNEY HAS BEEN EMPLOYED; OR, IF THERE IS NO COMMITTEE, THE TWENTY (20) LARGEST UNSECURED CREDITORS; (5) ANY PARTY REQUESTING NOTICE; (6) ANY PARTY NAMED ON A COURT-APPROVED ALTERNATIVE SERVICE LIST; (7) THE RESPONDING PARTIES; AND (8) ANY OTHER AFFECTED ENTITY.

IF NO HEARING ON SUCH NOTICE OR MOTION INITIATING A CONTESTED MATTER IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

s/Monte J. White  
Attorney for Debtor

**CERTIFICATE OF SERVICE**

A true and exact copy of the foregoing Motion and Notice of Hearing was served electronically by the ECF System or by First Class Mail on November 19, 2009, on all parties on the mailing matrix:

/s/Monte J. White  
Attorney for Debtor(s)

Case 09-70279-hdh13 Doc 20 Filed 11/19/09 Entered 11/19/09 11:14:58 Desc Main Label Matrix for local noticing  
0539-7  
Case 09-70279-hdh13  
Northern District of Texas  
Wichita Falls  
Tue Nov 17 11:06:57 CST 2009  
1100 Commerce Street  
Room 1254  
Dallas, TX 75242-1305

Clay CAD Document Page 4 of 5  
Linebarger Goggan Blair & Sampson, LLP  
c/o Sherrel K. Knighton  
2323 Bryan Street  
Suite 1600  
Dallas, TX 75201-2644

AETNA  
151 Farmington Avenue  
Hartford, CT 06156-0002

Account Recovery Svcs  
3144 Sw 28th Ave Ste A  
Amarillo, TX 79109-3169

Bay Area Credit Servic  
97 E Brokaw Rd Ste 240  
San Jose, CA 95112-4209

Clay CAD  
c/o Sherrel K. Knighton  
Linebarger Goggan Blair & Sampson, LLP  
2323 Bryan Street Suite 1600  
Dallas, TX 75201-2644

Clay County Appraisal District  
CO Linebarger Goggan Blair & Et Al  
2323 Bryan St., Ste 1600  
Dallas, TX 75201-2637

Clinics of North Texas  
PO Box 97521  
Wichita Falls, TX 76307-7521

Compass Bank  
Attn: Bankruptcy  
PO Box 10566  
Birmingham, AL 35296-0002

Compass Bank  
P.O. Box 10566  
Birmingham, AL 35296-0002

Compass Bank (Secured)  
P.O. Box 201347  
Arlington, TX 76006-1347

Executive Services  
1200 Austin St  
Wichita Falls, TX 76301-4623

Executive Services  
1200 Austin Street  
P.O. Box 2248  
Wichita Falls, Texas 76307-2248

Fairlane-sst  
4315 Pickett Rd  
Saint Joseph, MO 64503-1600

Fst Coll Srv  
10925 Otter Creek Rd E  
Mabelvale, AR 72103-1661

HSBC Bank Nevada, N.A.  
Bass & Associates, P.C.  
3936 E. Ft. Lowell Rd, Suite 200  
Tucson, AZ 85712-1083

Hsbc Best Buy  
Attn: Bankruptcy  
PO Box 6985  
Bridge Water, NJ 08807-0985

IRS Special Procedures  
1100 Commerce St., Room 951  
Mail Stop 5029 DAL  
Dallas, TX 75242-1001

Lane Bryant Retail-soa  
450 Winks Ln  
Bensalem, PA 19020-5932

Maplewood Ambulatory Surgery Ctr., Inc  
4301 Maplewood Ave Ste C  
Wichita Falls, TX 76308-3879

MedDirect  
PO Box 120130  
Grand Rapids, MI 49530-0001

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Toyota Motor Credit Co  
Address Not Available  
Atlanta, GA 30309

(p)TOYOTA MOTOR CREDIT CORPORATION  
PO BOX 8026  
CEDAR RAPIDS IA 52408-8026

United Regional  
1600 8th Street  
Wichita Falls, TX 76301-3108

WaMu  
PO Box 99604  
Arlington, TX 76096-9604

Wells Fargo  
206 North Bridge  
Henrietta, TX 76365-2806

Case 09-70279-hdh13 Doc 20 Filed 11/19/09 Entered 11/19/09 11:14:58 Desc Main  
Wells Fargo Bank Wells Fargo Bank, N.A. Wells Fargo Card Ser  
Overdraft Recovery Payment Pro. Dept. c/o Wells Fargo Card Services PO Box 5058  
A0143-042 Recovery Department Portland, OR 97208-5058  
P.O. Box 63491 P.O. Box 9210  
San Francisco, Ca 94163-0001 Des Moines, IA 50306-9210

Mark Dewayne Burns  
PO Box 146  
Byers, TX 76357-0146

Monte J. White  
Monte J. White & Associates, P.C.  
1106 Brook Avenue  
Wichita Falls, TX 76301-5009

Stacey Lynn Burns  
PO Box 146  
Byers, TX 76357-0146

UST U.S. Trustee  
1100 Commerce Street  
Room 976  
Dallas, TX 75242-1011

Walter 12,13 OCheskey  
6308 Iola Avenue  
Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Toyota Motor Credit Corporation  
5005 North River Blvd., N.E.  
Cedar Rapids, IA 52411-6634

End of Label Matrix	
Mailable recipients	37
Bypassed recipients	0
Total	37